

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 09-mj-30127

v.

**DANNY RUSSELL BURBY
a/k/a THUMBS,**

Defendant.

_____ /

MOTION FOR DISMISSAL OF COMPLAINT

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3161(d) by leave of Court endorsed hereon the United States Attorney for the Eastern District of Michigan hereby moves for dismissal without prejudice the complaint against DANNY RUSSELL BURBY, herein,

The reasons for dismissal without prejudice are as follows:

1. That the Government requires additional time to develop and acquire sufficient evidence.
2. That the Government requires additional time to investigate the extent of the criminal act alleged and the participants in it.
3. That proceeding to indictment or information within the time limits of § 3161(b) as extended by § 3161(h) would substantially impair the Government's ability to accomplish the objectives of paragraphs 1-2 above. See *United States v. Lovasco*, 431 U.S. 738, 792-796 (1977).

**TERRENCE BERG
United States Attorney**

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Dated: April 16, 2009